

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JAVAR GRAVES,

Case No. 19-CV-2146 (NEB/DTS)

Plaintiff,

v.

ORDER ON REPORT AND
RECOMMENDATION

MICHAEL BROWN,

Defendant.

The Court has received the August 14, 2019 Report and Recommendation of United States Magistrate Judge David T. Schultz. [ECF No. 3 (“R&R”).] No party has objected to the R&R, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter,

IT IS HEREBY ORDERED THAT:

1. This Court ACCEPTS the R&R [ECF No. 3];
2. This matter is DISMISSED WITHOUT PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii);
and
3. Plaintiff’s motion to proceed *in forma pauperis* [ECF No. 2] is DENIED.

Dated: September 18, 2019

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge